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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re: NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	MDL Dkt. No. 06-1791-VRW **JOINDER IN MOTION FOR A STAY PENDING DISPOSITION OF INTERLOCUTORY APPEAL [Dkt. 67]**
This document relates to: ALL CASES	Date: February 1, 2007 Time: 2:00 p.m. Courtroom: 6, 17th Floor Judge: Hon. Vaughn R. Walker

[1] Brendan V. Sullivan, Jr. has been admitted pro hac vice in the Suchanek action but not in the other actions in this MDL proceeding.

The Sprint Defendants,[2] the BellSouth Defendants,[3] the Cingular Defendants,[4] Charter Communications, LLC, and Bright House Networks, LLC, through undersigned counsel, respectfully join the November 6, 2006 motion of the United States requesting that this Court stay the proceedings in this multidistrict litigation proceeding pending disposition of the interlocutory appeal in Hepting v. AT&T Corp., No. C-06-0672-VRW. These actions should be stayed in their entirety because, whatever the Ninth Circuit's decision in the Hepting appeal, the Court of Appeals' opinion is likely to have determinative effects on (1) the legal issues that will be presented in motions to dismiss in the remaining actions and (2) the scope of discovery permitted, if any. If motions to dismiss were to proceed at this time and the motions were unsuccessful, the parties inevitably would file new motions for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c) immediately after the Ninth Circuit rules on the Hepting appeal. Rather than require two rounds of briefing and decision on the sufficiency of the consolidated complaints, the undersigned defendants respectfully submit that the most efficient course at this juncture is to stay further proceedings pending the outcome of the Hepting appeal. Doing so also will avoid the significant jurisdictional issues described in detail in the Government's brief in support of a stay.

The undersigned Defendants concur in the arguments set forth in the Government's motion and adopt and incorporate them in full.

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[2] The Sprint Defendants are Sprint Nextel Corporation, Nextel West Corp., Sprint Communications Company L.P., and Sprint Spectrum L.P.

[3] The BellSouth Defendants are BellSouth Corp., BellSouth Telecommunications, Inc., and BellSouth Communications System, LLC.

[4] The Cingular Defendants are New Cingular Wireless Services, Inc., Cingular Wireless LLC, and Cingular Wireless Corporation.

Dated: December 22, 2006

Respectfully submitted,

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DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, JOHN G. KESTER, hereby declare pursuant to General Order 45, § X.B., that I have obtained the concurrence in the filing of this document from each of the other signatories listed above.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on December 22, 2006 at Washington, DC.

/s/ *John G. Kester*